CICADA CINGULATA (FABRICIUS) VAR. *OBSCURA* HUDSON, 1891 (INSECTA, ORDER HEMIPTERA, SUBORDER HOMOPTERA): PROPOSED SUPPRESSION AS A *NOMEN OBLITUM*. Z.N.(S.) 1888

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G. V. Hudson (1891), after describing "*Cicada cingulata* Fabr." (i.e. *Tettigonia cingulata* Fabricius, currently listed in the genus *Amphipsalta* Fleming by Dugdale & Fleming, 1969), introduced a new taxon "*a.* var. *obscura*" for a "distinct variety", briefly defined ("remarkable for its smaller size, dull colour, and very loud chattering song"), with a locality. Although he wrote "I do not think it is anything more than a variety", Hudson's name, in our judgement, must be classed as subspecific under Articles 45d (i) and 45e (i). It was given full specific rank under the combination *Melampsalta obscura* Hudson, by Hutton (1904) in his "*Index Faunae Novae Zealandiae*".

In 1909, G. W. Kirkaldy introduced *Cicadetta strepitans* nom. nov. for *Cicada cingulata* var. *obscura* Hudson, recognising it as a good species and renaming it, he stated, because he had "not been able to identify it with any of Walker's species". Kirkaldy's name has been consistently used for more than 60 years since its introduction in lists and systematic reviews (see Metcalf 1963) in combination with the generic names *Melampsalta* Amyot, *Cicadetta* Amyot and latterly with *Amphipsalta* Fleming. The existence of Hudson's prior name has been known and cited in synonymies; its neglect as the valid name for the taxon to which it was originally applied has apparently been due to the weight of Kirkaldy's authority and a belief that a name proposed for a variety did not qualify for priority as a species name. Both Myers (1921) in his revision, and Hudson himself (1950) accepted Kirkaldy's later name for *Cicada cingulata* var. *obscura*. We have found no prior use of the species-group name *obscura* in combination with the generic names *Cicada*, *Melampsalta*, or *Cicadetta*. Recently (Fleming & Ordish 1966) a lectotype was chosen for *Cicada cingulata* var. *obscura* Hudson, which becomes automatically the lectotype for *Cicadetta strepitans* Kirkaldy.

We consider that the application of the Law of Priority, whereby the insect now known as *Amphipsalta strepitans* (Kirkaldy) would be called *Amphipsalta obscura* (Hudson), would disturb stability and cause confusion. Although this species is not important to medicine or horticulture or in any other field of applied science, its trivial name, *strepitans*, has been used for over 60 years by many New Zealand entomologists, both amateur and professional, for whom cicadas are a favourite group. We therefore refer the case to the Commission for a decision under the Plenary Powers.

To establish a *prima facie* case under Article 79(b) that stability is threatened we report that we have found no record of the senior name being used since 1904 except in synonymies and that the junior name has been applied to the taxon concerned, as its presumably valid name, by the following 7 authors in the publications cited: Kirkaldy (1909), Myers (1921, 1929a, 1929b), Myers and

Myers (1924), Hudson (1950), Fleming & Ordish (1966), Fleming (1967), Dugdale & Fleming (1969), and Dugdale (1972). Moreover, in 1969, we rejected the name *Cicada cingulata* var. *obscura* Hudson on the grounds that it was an unused senior synonym of a name in general use to which (at that time) Article 23(b) of the code was relevant, and we recorded that we had applied to the Commission to place Hudson's name on the Official Index of Rejected Specific Names in Zoology. (Owing to the proposed amendment of Article 23, the application was not processed.)

Accordingly the Commission is requested:

(1) to use its Plenary Powers to suppress the specific name *obscura* Hudson, 1891, as published in the combination *Cicada cingulata* Fabr. *a.* var. *obscura* for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) to place the specific name *obscura*, published as above, on the Official Index of Rejected Specific Names in Zoology;

(3) to place the specific name *strepitans* Kirkaldy, 1909, as published under the binomen *Cicadetta strepitans* Kirkaldy, on the Official List of Specific Names in Zoology.

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